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60.130-1885; 02MRA0391

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Weber
Serial No.: 10/701,997
Filed: 11/5/2003
Examiner: Schwartz, Christopher P.
Art Unit: 3683
Title: Temperature Control System for Air/Oil Shock
Absorber Module

M/S Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Dear Sir:

In response to the Examiner's Answer mailed June 2, 2005, applicant hereby provides the following additional arguments.

The examiner appears to argue that the combination of Harrison and Sakai, et al. do meet the claims. It appears the examiner's argument acknowledges that the check valves leading to the suspension component in Harrison would prevent any air from being exchanged within the shock absorber immediately when the valves 25/28 of Harrison open. The examiner's argument appears to be that the changing of the air within the reservoirs of Harrison would ultimately "change" any air that may be delivered to the suspension component of Harrison as modified by Sakai, et al. That is, the Harrison reference may not change the air in the suspension component, but it would change the air delivered to the suspension component.

This is an unfair reading of the claims as applied to claim 1. Claim 1 requires that there be a control for avoiding an undesirably high temperature "within said air volume." The claimed